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C O N F I D E N T I A L CAIRO 002384

SIPDIS

DEPARTMENT FOR NEA/ELA, AF/SPG, AF/E, JERUSALEM FOR
REFCOORD (KAPLAN)

E.O. 12958: DECL: 11/19/2018

TAGS: PREF PHUM PREL PGOV SU ER SO EG

SUBJECT: EGYPT'S VIEWS ON BORDER SHOOTINGS AND REFUGEE
PROTESTS

REF: A. GENEVA 884

1B. TEL AVIV 1982

1C. CAIRO 2271

1D. CAIRO 2053

1E. CAIRO 1972

Classified By: Minister Counselor for Economic and Political Affairs
William R. Stewart for reasons 1.4 (b) and (d).

11. (C) Summary: The Director of the Egyptian MFA's Refugee Office, Tarek el-Maaty, told us on November 13 that he was frustrated with a Human Rights Watch (HRW) report condemning Egypt for the shooting of migrants on the Egypt-Israel border. He blamed the U.S. and Israel for asking Egypt to secure the border and then condemning it for complying. He asked if the USG had suggestions to secure the border, while keeping the use of force to a minimum. Maaty told us that he had checked with Egyptian security and intelligence officials about the forced return of Sudanese and Eritrean immigrants from Israel. He said that none of the officials had any knowledge of any returnees. Maaty stated that the high cost of living in Cairo, coupled with UNHCR's failure to resettle refugees, led to protests outside UNHCR's offices in Cairo. He asked for U.S. assistance in resettling Eritrean refugees.

End Summary.

Human Rights Watch and the Egypt-Israel Border

12. (C) We spoke with Tarek el-Maaty, Director of the Egyptian MFA's Refugee Office on November 13, after the release of a HRW report that strongly condemns Egypt for shooting African migrants at the Egypt-Israel border. Maaty was frustrated that the report condemned Egypt for the shootings at the border. He lamented that there were conflicting messages, stating "the Americans and Israelis ask us to secure the border, but then America blames us for doing so and asks us to refrain from using lethal force. It is a zero-sum game for Egypt." Maaty also informed us that Israel "officially did not blame Egypt for the shootings."

13. (SBU) Maaty said that the Egyptian border guards are governed by rules of engagement, and shooting is a last resort to be used only in cases where those crossing the border refuse to stop. He lamented that the African migrants are determined to cross the border, and the smugglers tell the migrants not to stop. Maaty reiterated that the Egyptian policy is to "shoot at the legs, not to kill." He also stated that this activity only happens on the Egypt-Israel border because it is a "restricted area as per the Camp David Accords."

Looking for Assistance

¶4. (C) After his initial reaction, Maaty told us that Government of Egypt was going to study if there were any ways to keep the use of force to a minimum. He said the GOE was "open to discussing the issue," and asked if the USG has any proposals to help Egypt. Maaty referenced his meeting with A/AS Samuel Witten in Geneva at the 59th UNHCR EXCOM meeting on the Middle East (reftel A). He said that A/AS Witten spoke of a proposal for a "mechanism on the border." Maaty asked what mechanism the USG had in mind and inquired about the details. He stated that Egypt was interested in any proposals, but stated that the "UNHCR cannot be involved on the border because everything on the border is "classified, confidential and an intelligence question."

Returns from Israel

¶5. (C) Maaty complained that UNHCR appears to allow Israel to return refugees to Egypt under the "country of first asylum" rule, but at the same time tells Egypt that is unable to return similar refugees to Sudan, referring to the return of 48 Africans to Egypt in August 2007. However, Maaty said he was unable to verify any recent "hot returns" of migrants by Israel to Egypt (reftel B). He told us that he investigated news reports that Israel returned 91 migrants to Egypt in August 2008. Maaty said that he checked with the Ministry of Defense, the Ministry of Interior, Egyptian State Security

and the Egyptian General Intelligence Service and none had any knowledge of the returned migrants.

UNHCR Protests

¶6. (SBU) Referring to the recent protest by Somali and Darfur women outside UNHCR offices in Cairo (reftel C), Maaty stated that the GOE normally does not interfere in refugee issues, but UNHCR requested that it provide security help. He stressed that Egyptian police "did not keep people away or beat the refugees," but were there "only to protect UNHCR." He said that Somali and Darfuri refugees had gone to UNHCR to protest their lack of money. Maaty noted that life in Cairo is "getting expensive," and the refugees do not have enough money to survive. He opined that the UNHCR Cairo office is not enthusiastic about resettlement because its budget and importance are tied to the number of refugees in the country. Maaty asked for U.S. assistance in resettling Eritreans that were recently given refugee status. Egypt was expecting that the U.S. would take between 20 and 40 of the Eritreans for resettlement.

¶7. (C) Comment: After numerous conversations, it is clear that the MFA's Refugee Office is out of the loop when it comes to migrant activities on the Egypt-Israel border. Both Maaty and his staff are knowledgeable on most refugee issues, but they seem to have little to no information on "hot returns" and migrants arrested on the border. These two issues appear to be controlled by the Egyptian security apparatus. After the release of the HRW report and a similar Amnesty International report, released in August 2008, the GOE appears to be acknowledging that it needs to change its procedures on the Egypt-Israel border, and is asking for our assistance on how to do so. Without technical border management assistance, we suspect that Egypt will continue to use live fire to stop people from illegally crossing the Egypt-Israel border. The relationship between the GOE and UNHCR is one of mutual suspicion. UNHCR believes that the GOE wants to limit the number of migrants that receive refugee status, and the GOE believes that UNHCR is not committed to the resettlement of refugees. By directly asking the USG to take Eritrean refugees, Maaty is trying to

avoid the UNHCR and create a pull factor in the resettlement
of refugees.
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